

BOIES SCHILLER FLEXNER LLP  
 RICHARD J. POCKER (NV Bar No. 3568)  
 300 South Fourth Street, Suite 800  
 Las Vegas, NV 89101  
 Telephone: 702.382.7300  
 Facsimile: 702.382.2755  
 rpocker@bsflfp.com

BOIES SCHILLER FLEXNER LLP  
 WILLIAM ISAACSON (*pro hac vice*)  
 KAREN DUNN (*pro hac vice*)  
 1401 New York Avenue, NW, 11th Floor  
 Washington, DC 20005  
 Telephone: (202) 237-2727  
 Facsimile: (202) 237-6131  
 wisaacson@bsflfp.com  
 kdunn@bsflfp.com

BOIES SCHILLER FLEXNER LLP  
 STEVEN C. HOLTZMAN (*pro hac vice*)  
 BEKO O. REBLITZ-RICHARDSON  
 (*pro hac vice*)  
 1999 Harrison Street, Suite 900  
 Oakland, CA 94612  
 Telephone: 510.874.1000  
 Facsimile: 510.874.1460  
 sholtzman@bsflfp.com  
 brichardson@bsflfp.com

MORGAN, LEWIS & BOCKIUS LLP  
 BENJAMIN P. SMITH (*pro hac vice*)  
 JOHN A. POLITO (*pro hac vice*)  
 SHARON R. SMITH (*pro hac vice*)  
 One Market, Spear Street Tower  
 San Francisco, CA 94105  
 Telephone: 415.442.1000  
 Facsimile: 415.442.1001  
 benjamin.smith@morganlewis.com  
 john.polito@morganlewis.com  
 sharon.smith@morganlewis.com

DORIAN DALEY (*pro hac vice*)  
 DEBORAH K. MILLER (*pro hac vice*)  
 JAMES C. MAROULIS (*pro hac vice*)  
 ORACLE CORPORATION  
 500 Oracle Parkway, M/S 5op7  
 Redwood City, CA 94070  
 Telephone: 650.506.4846  
 Facsimile: 650.506.7114  
 dorian.daley@oracle.com  
 deborah.miller@oracle.com  
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,  
 Oracle America, Inc., and Oracle  
 International Corp.*

GIBSON, DUNN & CRUTCHER LLP  
 MARK A. PERRY (*pro hac vice*)  
 1050 Connecticut Avenue, N.W.  
 Washington, DC 11101  
 Telephone: 202.955.8500  
 mperry@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP  
 JEFFREY T. THOMAS (*pro hac vice*)  
 BLAINE H. EVANSON (*pro hac vice*)  
 JOSEPH A. GORMAN (*pro hac vice*)  
 CASEY J. MCCracken (*pro hac vice*)  
 3161 Michelson Drive  
 Irvine, CA 92612-4412  
 Telephone: 949.451.3800  
 bevanson@gibsondunn.com  
 jgorman@gibsondunn.com  
 cmccracken@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP  
 SAMUEL G. LIVERSIDGE (*pro hac vice*)  
 ERIC D. VANDEVELDE (*pro hac vice*)  
 333 South Grand Avenue  
 Los Angeles, CA 90071-3197  
 Telephone: (213) 229-7000  
 sliversidge@gibsondunn.com  
 evandeveld@gibsondunn.com

RIMINI STREET, INC.  
 DANIEL B. WINSLOW (*pro hac vice*)  
 6601 Koll Center Parkway, Suite 300  
 Pleasanton, CA 94566  
 Telephone: (925) 264-7736  
 dwinslow@riministreet.com

RIMINI STREET, INC.  
 JOHN P. REILLY (*pro hac vice*)  
 3993 Howard Hughes Parkway, Suite 500  
 Las Vegas, NV 89169  
 Telephone: (336) 908-6961  
 jreilly@riministreet.com

HOWARD & HOWARD ATTORNEYS  
 PLLC  
 W. WEST ALLEN (Nevada Bar No. 5566)  
 3800 Howard Hughes Parkway, Suite 1000  
 Las Vegas, NV 89169  
 Telephone: (702) 667-4843  
 wwa@h2law.com

*Attorneys for Defendants Rimini Street, Inc.  
 and Seth Ravin.*

**UNITED STATE DISTRICT COURT**  
**DISTRICT OF NEVADA**

ORACLE USA, INC.; a Colorado  
corporation; ORACLE AMERICA, INC.; a  
Delaware corporation; and ORACLE  
INTERNATIONAL CORPORATION, a  
California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada  
corporation; and SETH RAVIN, an  
individual,

Defendants.

CASE NO. 2:10-CV-0106-LRH-VCF

**JOINT [PROPOSED] ORDER  
REGARDING POST INJUNCTION  
CUSTODIAL DISCOVERY**

**[PROPOSED] ORDER**

Pending before this Court is Oracle's Motion To Compel Re Post-Injunction Requests For Production (ECF No. 1237). Having considered the Parties' respective positions therein, including at the hearing conducted on September 3, 2019, and good cause existing:

**IT IS HEREBY ORDERED:**

1. Oracle's Motion To Compel Re Post-Injunction Requests For Production (ECF No. 1237) is **GRANTED in part and DENIED in part**.
2. By September 6, 2019, Oracle must provide Rimini with 10 custodians and 120 search terms, which Rimini must use for its custodial productions. Oracle shall have complete discretion in selecting the custodians and search terms.
3. By September 16, 2019, Rimini must make its first weekly rolling production of non-privileged custodial documents. Rimini must continue to produce non-privileged custodial documents on a rolling basis every seven days thereafter.
4. The deadlines for discovery, initial expert disclosure, rebuttal expert disclosure, and Oracle's filing of a motion for order to show cause set forth in this Court's June 21, 2019 Order (Dkt. 1232) are **VACATED**, and this Court will conduct a status conference on October 7, 2019, at 1:00 p.m.
5. If requested by Oracle, Rimini must, to the best of its ability, review and produce documents by custodian in the order specified by Oracle.
6. For each weekly production and (if any) each weekly privilege log, counsel of record for Rimini must certify in writing pursuant to Federal Rule of Civil Procedure 26(g)(1)(a):
  - a. The number of unique documents reviewed for the production. Two documents are "unique" for purposes of this Order if the documents are identified as non-identical by Rimini's vendor after application of a reasonable de-duping algorithm;
  - b. The number of unique documents listed on the privilege log, if any;
  - c. The number of attorney hours expended on the production (including hours expended reviewing for privilege and compiling a privilege log); and
  - d. The actual amount of fees and costs to be paid by Rimini for the production.
7. Rimini is responsible for its fees and costs for the first 100,000 unique documents produced or logged as privileged (and fully withheld on grounds of privilege); Oracle and Rimini will share reasonable fees and costs equally for the next 200,000 unique documents produced or logged as privileged (and fully withheld on grounds of privilege), if applicable; and Oracle will promptly reimburse Rimini's reasonable fees and costs for

all subsequent unique documents produced or logged as privileged (and fully withheld on grounds of privilege), *i.e.*, document 300,001 and beyond, if applicable.

8. Privilege logs for each weekly production must be served within 21 days of the production to which they relate.
9. By no later than October 4, 2019 (in advance of the October 7, 2019 status conference), Rimini shall file with the Court its first three custodial production certifications described in Paragraph 6 above.

MORGAN, LEWIS, & BOCKIUS LLP	GIBSON, DUNN & CRUTCHER LLP
By: <u>/s/ John A. Polito</u> John A. Polito <i>Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation</i>	By: <u>/s/ Eric D. Vandavelde</u> Eric D. Vandavelde <i>Attorneys for Attorneys for Defendants Rimini Street, Inc. and Seth Ravin.</i>

IT IS SO ORDERED.

DATED \_\_\_\_\_, \_\_\_\_\_, 2019

By: \_\_\_\_\_  
Hon. Cam Ferenbach  
United States Magistrate Judge

**ATTESTATION OF FILER**

The signatories to this document are Eric D. Vandavelde and me, and I have obtained Mr. Vandavelde's concurrence to file this document on his behalf.

Dated: September 5, 2019

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John A. Polito  
John A. Polito

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I caused to be electronically uploaded a true and correct copy in Adobe “pdf” format of the above document to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon transmission of the Notice of Electronic Filing (“NEF”) to the registered CM/ECF users. All counsel of record are registered users.

DATED: September 5, 2019

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John A. Polito  
John A. Polito

*Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation*